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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RIDEAPP, INC.
 	
        Plaintiff,
  v.
 	
LYFT, INC.
 	
        Defendant.
	Case No. 18-CV-07152-JST
	
	JOINT STIPULATION AND [~~PROPOSED~~] ORDER EXTENDING TIME FOR MOTION TO DISMISS BRIEFING AND EXPERT CLAIM CONSTRUCTION DISCOVERY

Pursuant to Civil L.R. 6-1(b) and 6-2, plaintiff RideApp, Inc. ("RideApp") and defendant Lyft, Inc. ("Lyft") hereby stipulate as follows:

WHEREAS on March 20, 2019, the Court entered a Scheduling Order setting the claim construction discovery cut-off deadline at August 19, 2019 (Docket No. 74);

WHEREAS the parties have agreed to exchange expert declarations with their claim construction briefs and have agreed to make their respective experts available for a deposition shortly after service their respective expert declaration;

WHEREAS Lyft filed its motion to dismiss the second amended complaint on June 26, 2019 (Docket No. 89), noticing a hearing date of August 8, 2019;

WHEREAS RideApp's response to the motion to dismiss is currently due on July 10, 2019 and Lyft's reply is currently due on July 17, 2019;

WHEREAS this Court has, pursuant to the parties' stipulation, previously granted one unrelated request for extension of time, giving RideApp additional time to file an opposition to Lyft's original motion for judgment on the pleadings, and giving Lyft additional time to file a reply (Docket No. 75);

WHEREAS the parties do not expect that these proposed changes will impact any other dates already fixed by Court Order, including the Patent L.R. 4-5 and 4-6 deadlines set in the Court's March 20, 2019 Scheduling Order (Docket No. 74) or the proposed date for the hearing on the motion to dismiss noticed in that motion (Docket No. 89); THE PARTIES HEREBY STIPULATE and jointly request that the Court extend the deadlines for briefing on Lyft's motion to dismiss such that:

1. The deadline for RideApp's responsive brief is extended one week until July 17, 2019; and

2. The deadline for Lyft's reply brief is extended one week until July 24, 2019.

THE PARTIES FURTHER STIPULATE and jointly request that the Court extend expert claim construction discovery such that:

1. If RideApp intends to rely on expert testimony for claim construction:

    a.   RideApp may disclose a declaration from its expert with its Opening Claim

1   Construction Brief;

2   b. RideApp will make its expert available for a deposition shortly after disclosing

3   its expert's declaration, such that Lyft has adequate time to incorporate testimony

4   from the deposition into its Responsive Claim Construction Brief;

5   2. If Lyft intends to rely on expert testimony for claim construction:

6   a. Lyft may disclose a declaration from its expert with its Responsive Claim

7   Construction Brief; and

8   b. Lyft will make its expert available for a deposition shortly after disclosing its

9   expert declaration, such that RideApp has adequate time to incorporate testimony

10   from the deposition into its Reply Claim Construction Brief.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IT IS SO ORDERED

Judge Jon S. Tigar
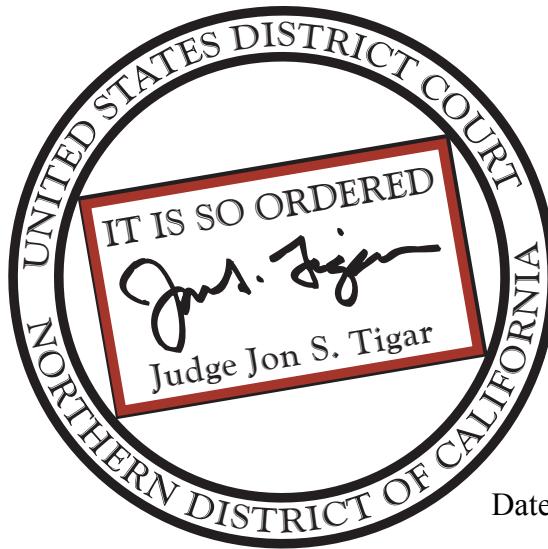
Dated: July 9, 2019

BAKER BOTTS L.L.P.

1   Dated: July 8, 2019   Respectfully submitted,

2   **BAKER BOTTS L.L.P.**

3   */s/ Jeremy J. Taylor*

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STIPULATION TO EXTEND TIME   Case No. 18-CV-07152-JST

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Dated: July 8, 2019

/s/ Jeffrey J. Toney
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